

TEXT OF PROPOSED REGULATIONS

TITLE 27. ENVIRONMENTAL PROTECTION

DIVISION: 1. GENERAL FUNCTIONS AND RESPONSIBILITIES

SUBDIVISION 0.5

CHAPTER 3 ENVIRONMENTAL JUSTICE SMALL GRANTS PROGRAM

ARTICLE 1. PROCEDURES AND CRITERIA FOR ENVIRONMENTAL JUSTICE SMALL GRANTS PROGRAM

§ 10050. **PURPOSE AND SCOPE OF ARTICLE**

The purpose of this grant program is to provide financial assistance to eligible community groups that are located in areas adversely affected by environmental pollution and hazards such as community-based grassroots organizations, non-profit organizations and federally recognized tribal governments that are working on or plan to carry out projects to address environmental justice issues.

(a) The regulations in this Article provide the following as required by Section 71116 of the Public Resource Code:

- (1) Describe procedures for applying for the Environmental Justice Small Grant Program.
- (2) Describe criteria for determining which applications will be funded
- (3) Describe the administrative and fiscal requirements governing the receipt and expenditure of Environmental Justice Small Grant funds.

Authority: Section 71116, Public Resource Code

Reference: Section 71116 (b), Public Resource Code

§ 10051. **DEFINITIONS**

For the purposes of this article, the following definitions shall apply:

(a) The definitions contained in Section 71116 (c)(2) and Section 71116 (j) of the Public Resource Code are incorporated herein by reference.

(b) “Cal/EPA” means California Environmental Protection Agency.

(c) “Secretary” means the Agency Secretary for the California Environmental Protection Agency or his or her designee(s).

Authority: Section 71116, Public Resource Code

Reference: Section 71116(c)(2), 71116(j), Public Resource Code

§ 10052. **GRANT AWARD**

(a) The maximum amount of a grant provided pursuant to this section is twenty thousand dollars (\$20,000).

Authority cited: Section 71116, Public Resources Code

Reference: Section 71116(i), Public Resource Code

§ 10053. **RESTRICTIONS ON ENVIRONMENTAL JUSTICE SMALL GRANTS**

(a) The restrictions contained in section 71116(d), 71116(e), and 71116(g) of the Public Resource Code are incorporated herein by reference.

(b) Grant recipients shall use the grant award to fund only the project described in the recipient's application. Recipients shall not use the grant funding to shift moneys from existing or proposed projects to activities for which grant funding is prohibited and as described in section 10053(a) above.

Authority cited: Section 71116, Public Resource Code

Reference: Section 71116(d), 71116(e), 71116(g), Public Resource Code

§ 10054. **GRANT APPLICATION PROCEDURES**

(a) In order to receive money for activities set forth under Section 71116 of the Public Resource Code, applicants must complete an application process in accordance with the following requirements:

(1) Applicants must submit a narrative/work plan:

- A. The narrative/work plan should describe the applicant's proposed project.
- B. The narrative/work plan will be used as the primary basis for fund allocation. Work plans must be submitted to the Secretary in accordance with any timelines established by the Secretary.
- C. The narrative/work plan must contain the following information:
  - 1. Identify the environmental justice issue(s) to be addressed by the project.
  - 2. Identify the environmental justice community/target audience (populations).
  - 3. Identify the program goal that the project will meet and how it will meet it.
  - 4. Provide a succinct explanation of how the project may serve as a model in other settings.
  - 5. Provide a concise introduction that states the nature of the applicant's organization.
  - 6. Identify how long the organization has been in existence.
  - 7. Describe how the organization has been successful in the past.
  - 8. Provide project completion plans/time frames, and expected results.
  - 9. Provide a concise project description that describes how the applicant is community-based and/or plans to involve the target audience in the project.
  - 10. Provide a conclusion discussing how the applicant will evaluate and measure the success of the project, including the anticipated benefits and challenges in

- implementing the project.
11. Include an appendix with resumes of up to three key personnel who will be significantly involved in the project, including the project lead.
  12. Include letter(s) of commitment from organizations with significant involvement in the project.
  13. Provide documentation to support the organization's non-profit status.
  14. Provide budget figures/projections to justify the requested award amount.

Authority: Section 71116, Public Resource Code

Reference: Section 71116(a)(1), Public Resource Code

§ 10055. **ELIGIBILITY, PROCESS FOR AWARDING GRANTS, AND CRITERIA**

(a) The Secretary will review, evaluate, and select grant recipients. Applications will be screened to ensure that they meet all criteria and work plan requirements described in Sections 10053-10055 in this article and meet the eligibility requirements established pursuant to Section 71116 of the Public Resource Code. Applications will be disqualified if all eligibility standards are not met.

(b) If the application package is complete it will be reviewed and evaluated by the Secretary based on the criteria outlined below:

- (1) **Threshold Criteria.** Applications that propose projects that are inconsistent with Cal/EPA's statutory authority for this grant program or the goals for the program are ineligible for funding and will not be evaluated.
- (2) **Evaluation Criteria.** Proposals will be evaluated using the following criteria:
  - a. Responsiveness of the work plan to environmental justice issues
  - b. Effectiveness of the project design.
  - c. Clarity of the measures of success.
  - d. Qualifications of project staff.

(c) The Secretary may consider only one application per applicant for a given project. Applicants may submit more than one application if the applications are for separate and distinct projects or activities. Applicants that previously received grant funds may submit an application for future grants.

(d) Preference may be given to organizations that have not received previous grants under the Cal/EPA Environmental Justice Small Grant Program.

(e) Every application will be evaluated based on the merit of the proposed project in comparison to other applications. Past performance may be considered during the evaluation process for those applicants who have received previous grants under the Cal/EPA Environmental Justice Small Grant Program.

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(f) The Secretary will compare the best applications and make final selections after the individual projects are reviewed and evaluated. Additional factors that the Secretary may take into account in the selection process include geographic and socioeconomic balance; cost, and projects whose benefits can be sustained after the grant is completed.

(g) After all applications are received, the Secretary will mail acknowledgments to all applicants. Once applications have been approved for funding, the Secretary will notify the finalists and request any additional information necessary to complete the award process. The Secretary will notify those applicants whose projects are not selected for funding.

(h) The decisions of the Secretary concerning grant funding are final and not subject to appeal.

(i) State law requires all grantees to certify and assure that they will comply with all applicable state laws, regulations, and requirements before receiving funds.

Authority: Section 71116, Public Resource Code

Reference: Section 71116(a)(1), Section 71116 (f)(1)(2)(3)(4)(5)(6), Public Resource Code

§ 10056. **PROJECT PERIOD AND FINAL REPORTS**

(a) Grant funded projects should be completed and funds spent within the time frame specified in the grant award.

(b) The recipient organization is responsible for the successful completion of the project.

(c) Unless specified in the award, all recipients must submit timely quarterly and final reports to the Secretary for approval within ninety (90) days of the end of the project period.

(d) The Secretary will collect, review, and disseminate grantee's final reports to serve as model programs.

(e) The Secretary may require an audit or financial accounting from a grant recipient at any time.

(f) Any funds not used during the project period will be forfeited.

Authority: Section 71116, Public Resource Code

Reference: Section 71116 (a)(2), Public Resource Code